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Attorneys for Defendant

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

MARC JOHN RANDAZZA,

Debtor.

Case No.: BK-S-15-14956-abl
Chapter 11

EXCELSIOR MEDIA CORP., a Nevada
corporation; and LIBERTY MEDIA
HOLDINGS, LLC, a Nevada limited liability
company,

Plaintiffs,

v.

MARC JOHN RANDAZZA, an individual,

Defendant.

Adv. No. 15-01193-abl

**SUPPLEMENTAL REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
REPLY TO OPPOSITION TO MOTION
TO DISMISS, OR IN THE
ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT**

Date: May 9, 2016
Time: 1:30 p.m.

Defendant, Marc John Randazza, as debtor and debtor in possession (the "Defendant"),
by and through his attorneys, the law firm of Larson & Zirzow, LLC, hereby respectfully
requests that the Court take judicial notice pursuant to and to the extent permitted by Rule 201
of the Federal Rules of Evidence of the following in support of his *Reply to Opposition to*

1 *Motion to Dismiss, or in the Alternative, for Partial Summary Judgment* (the “Motion”) [ECF
2 No. 41].¹

3 1. On December 9, 2012, Marc J. Randazza, P.A. (“MJR”), as plaintiff filed an
4 action against Excelsior Media Corporation and Liberty Media Holdings, LLC (“Liberty”), as
5 defendants, in the Eighth Judicial District Court, Clark County, Nevada (the “Nevada State
6 Court”), being Case No. A-12-673275 (the “State Court Case”). A true and correct copy of the
7 docket printout of the State Court Case from the Nevada State Court’s online Wiznet system, as
8 of the filing of this Request, is attached hereto as Exhibit 1.

9 2. On April 4, 2015, a *Stipulation and Order* (the “First Stipulation”) as approved
10 by the parties was entered by the Nevada State Court in the State Court Case, whereby all funds
11 on deposit in MJR’s trust account on account of Excelsior Media Corporation or Liberty were
12 interpled into the Nevada State Court and placed in trust pending the outcomes of that certain
13 arbitration proceeding styled as Randazza v. Excelsior Media Corp., et al., JAMS No.
14 1260002283 (the “Arbitration”) and the State Court Case. The First Stipulation further provided
15 that upon decisions of the arbitrator in the Arbitration and the Nevada State Court in the State
16 Court Case, the parties would immediately stipulate to the release of the interpled funds in
17 accordance with such decisions. A true and correct copy of the First Stipulation as approved
18 and entered by the Nevada State Court and as filed in the State Court Case is attached hereto as
19 Exhibit 2.

20 3. As of April 17, 2015, and pursuant to and consistent with the First Stipulation,
21 MJR caused to be deposited into the registry of the Nevada State Court the sum of \$276,883.35.
22 A true and correct copy of the Receipt as entered by the Clerk in the State Court Case
23 evidencing the deposit and interpleader of monies pursuant to the First Stipulation is attached
24 hereto as Exhibit 3.

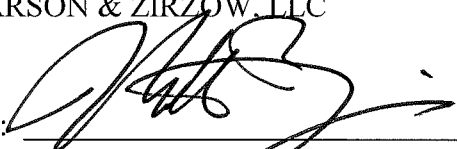
25 4. One June 3, 2015, the arbitrator in the Arbitration entered an Interim Arbitration
26 Award (the “IAA”).
27

28 ¹ Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Reply.

1 5. On June 18, 2015, as a result of the entry of the IAA in the Arbitration, and
 2 pursuant to and consistent with the First Stipulation, the parties entered into and the Nevada
 3 State Court approved a *Stipulation and Order re Lifting of Stay and Release of Interpled Funds*
 4 (the "Second Stipulation"), whereby that Court directed that the funds interpled were to be paid
 5 over to Liberty, provided that RLG was not waiving any affirmative claims for relief it was
 6 asserting against Liberty. A true and correct copy of the Second Stipulation as approved and
 7 entered by the Nevada State Court and as filed in the State Court Case is attached hereto as
 8 **Exhibit 4.**

9 Dated: May 2, 2016.

10 LARSON & ZIRZOW, LLC

11 By: 
 12 ZACHARIAH LARSON, ESQ.
 13 Nevada Bar No. 7787
 14 MATTHEW C. ZIRZOW, ESQ.
 15 Nevada Bar No. 7222
 16 850 E. Bonneville Ave.
 17 Las Vegas, Nevada 89101

18 Attorneys for Defendant

LARSON & ZIRZOW, LLC
 810 S. Casino Center Blvd. #101
 Las Vegas, Nevada 89101
 Tel: (702) 382-1170 Fax: (702) 382-1169

EXHIBIT “1”

EXHIBIT “1”

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REGISTER OF ACTIONS

CASE NO. A-12-673275-C

Marc J Randazza PA, Plaintiff(s) vs. Liberty Media Holdings LLC,
Defendant(s)

§
§
§
§
§
§

Case Type: **Breach of Contract**
Subtype: **Other Contracts/Acc/Judgment**
Date Filed: **12/09/2012**
Location: **Department 8**
Cross-Reference Case Number: **A673275**

PARTY INFORMATION

Counter Claimant	Liberty Media Holdings LLC <i>Doing Business As Fisher, Corbin</i>	Lead Attorneys Mitchell J. Langberg <i>Retained</i> 702-382-2101(W)
Counter Defendant	Randazza Legal Group	Katherine Turpen <i>Retained</i> 702-832-5909(W)
Defendant	Liberty Media Holdings LLC <i>Doing Business As Fisher, Corbin</i>	Mitchell J. Langberg <i>Retained</i> 702-382-2101(W)
Plaintiff	Marc J Randazza PA <i>Doing Business As Randazza Legal Group</i>	James M. DeVoy <i>Retained</i> 888-667-1113(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

03/01/2013 **Order of Dismissal Without Prejudice** (Judicial Officer: Smith, Douglas E.)
Debtors: Jason Gibson (Defendant)
Creditors: Marc J Randazza PA (Plaintiff)
Judgment: 03/01/2013, Docketed: 03/08/2013

OTHER EVENTS AND HEARINGS

12/09/2012 **Case Opened**
12/09/2012 **Complaint**
Plaintiff's Original Complaint for Fraud, Breach of Contract and Unjust Enrichment
01/03/2013 **Notice of Appearance**
Notice of Appearance
01/03/2013 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure
01/04/2013 **Motion to Extend**
Motion to Extend Time to Answer Complaint on Order Shortening Time
01/07/2013 **Opposition to Motion**
Opposition to Motion for Extension of Time
01/07/2013 **Notice of Association of Counsel**
Notice of Association of Counsel
01/08/2013 **Motion (8:00 AM)** (Judicial Officer Smith, Douglas E.)
Defendants' Motion to Extend Time to Answer Complaint on Order Shortening Time
[Parties Present](#)
[Minutes](#)
Result: Off Calendar
01/08/2013 **Receipt of Copy**
Receipt of Copy of Motion to Extend Time to Answer Complaint on Order Shortening Time
01/11/2013 **Stipulation and Order**
Stipulation and Order to Extend Time to Respond to Plaintiff's Original Complaint for Fraud, Breach of Contract and Unjust Enrichment (First Request)
01/14/2013 **Notice of Entry of Stipulation and Order**
Notice Of Entry Of Stipulation And Order To Extend Time To Respond To Plaintiff's Original Complaint For Fraud, Breach Of Contract And Unjust Enrichment (First Request)
01/22/2013 **Motion to Dismiss**
Defendants Liberty Media Holdings, LLC, and Jason Gibson's Motion To Dismiss

01/23/2013 **Notice of Hearing**
Notice Of Hearing On Defendants Liberty Media Holdings, Llc And Jason Gibson's Motion To Dismiss

02/08/2013 **Opposition to Motion**
Opposition to Defendants' Motion to Dismiss

02/19/2013 **Reply in Support**
Reply In Support Of Defendants Liberty Media Holdings, LLC, And Jason Gibson's Motion To Dismiss

02/26/2013 **Motion to Dismiss** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Defendants Liberty Media Holdings, LLC, and Jason Gibson's Motion To Dismiss
[Minutes](#)
Result: Matter Continued

03/01/2013 **Stipulation and Order**
Joint Stipulation and Order on Motion to Dismiss and Vacating Hearing

03/04/2013 **Notice of Entry of Order**
Notice of Entry of Stipulation and Order

03/11/2013 **First Amended Complaint**
First Amended Complaint - Breach of Contract - Unjust Enrichment - Account Stated Jury Trial Demanded

03/28/2013 **Answer and Counterclaim**
Defendant Liberty Media Holdings LLC's Answer to Plaintiff's First Amended Complaint and Counterclaim

05/03/2013 **Stipulation and Order**
Stipulation and Order Regarding Withdrawal of Counsel

05/03/2013 **Stipulation and Order**
Stipulation and Order Enlarging Time to Respond to Counterclaim

05/03/2013 **Answer to Counterclaim**
Plaintiff/Counter-Defendant RLG's Answer to Defendant/Counter-Claimant Liberty's Counterclaim

06/13/2013 **Commissioners Decision on Request for Exemption - Granted**
Commissioner s Decision on Request for Exemption - Granted

07/15/2013 **Demand for Jury Trial**
Demand for Jury Trial

07/18/2013 **Joint Case Conference Report**
Joint Case Conference Report

07/24/2013 **Arbitration File**
Arbitration File

07/30/2013 **Notice to Appear for Discovery Conference**
Notice to Appear for Discovery Conference

08/20/2013 **Discovery Conference** (9:30 AM) (Judicial Officer Bulla, Bonnie)
[Parties Present](#)
[Minutes](#)
Result: Scheduling Order Will Issue

09/11/2013 **Scheduling Order**
Scheduling Order

09/23/2013 **Order Setting Civil Jury Trial**
Order Setting Civil Jury Trial

11/22/2013 **Stipulated Protective Order**
Stipulated Confidentiality Agreement and Protective Order

11/26/2013 **Notice of Entry**
Notice of Entry of Stipulated Confidentiality Agreement and Protective Order

02/19/2014 **Stipulation and Order to Extend Discovery Deadlines**
Stipulation and Order to Extend Discovery Deadlines (First Request)

02/20/2014 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (First Request)

04/10/2014 **Motion to Compel**
Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time Pursuant to EDCR 2.25 and 2.26

04/11/2014 **Receipt of Copy**
Receipt of Copy of Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time Pursuant to EDCR 2.25 and 2.26

04/11/2014 **Receipt of Copy**
Receipt of Copy of Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time Pursuant to EDCR 2.25 and 2.26

04/21/2014 **Motion to Compel** (1:30 PM) (Judicial Officer Beecroft, Chris A., Jr.)
Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time Pursuant to EDCR 2.25 and 2.26
[Parties Present](#)
[Minutes](#)
Result: Vacate

04/22/2014 **Stipulation and Order to Extend Discovery Deadlines**
Stipulation and Order to Extend Discovery Deadlines (Second Request)

04/23/2014 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Second Request)

04/24/2014 **Amended Order Setting Jury Trial**
Amended Order Setting Civil Jury Trial

06/12/2014 **Notice of Firm Name Change**
Notice of Firm Name and Address Change

09/02/2014 **CANCELED Calendar Call** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Vacated - per Commissioner

09/08/2014 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer Smith, Douglas E.)
Vacated - per Commissioner

11/07/2014 **Motion to Amend**
Motion for Leave to File First Amended Counterclaim

11/18/2014 **Motion**
Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP and Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq., and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, or in the Alternative Motion for Leave to File Third-Party Counterclaim

11/18/2014 **Stipulation and Order to Extend Discovery Deadlines**
Stipulation and Order to Extend Discovery Deadlines (Third Request)

11/21/2014 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Third Request)

12/08/2014 **Opposition**
Opposition to Motion to Join Brownstein Hyatt Farber Schreck, LLP, Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq. and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, and Opposition to Motion in the Alternative for Leave to File Third Party Counterclaim

12/09/2014 **Motion to Disqualify Attorney**
Plaintiff/CounterDefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/CounterClaimant, Liberty Media Holdings, LLC's Counsel of Record

12/09/2014 **Notice**
Plaintiff/CounterDefendant's (1) Notice of Removal of Request to Add Mitchell J. Langberg, Esq., Individually, Laura E. Bielinski, Esq., Individually, and Scott Schoenwald, Esq., Individually as Necessary Party Counter-Defendants and (2) Notice of Filing Amended Exhibit N to Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP as Necessary Party Counter-Defendants, or in the Alternative, Motion for Leave to File Third-Party Counterclaim

12/16/2014 **Notice**
Notice of Calendar Add, Change or Case Closed for Dept. VIII

12/17/2014 **Notice**
Declaration of Maximilien D. Fetaz, Esq. Re Notice of No Opposition Received to Liberty's Motion for Leave to File First Amended Counterclaim

12/18/2014 **Opposition to Motion**
Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Opposition to Liberty Media Holdings, LLC's Motion for Leave to Amend Counterclaim or, In the Alternative, Motion to Stay Ruling on Liberty Media Holding's Motion for Leave to Amend

12/26/2014 **Opposition to Motion**
Opposition to Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/Counterclaimant, Liberty Media Holdings, LLC's Counsel of Record

12/29/2014 **Reply in Support**
Reply in Support of Motion for Leave to File First Amended Counterclaim, and Opposition to Motion to Stay Ruling on Liberty's Motion for Leave to Amend

12/29/2014 **Reply to Opposition**
Plaintiff/Counterdefendant Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Reply to Liberty Media Holdings, LLC's Opposition to Motion to Join Brownstein Hyatt Farber Schreck as Necessary Party Counter-Defendants and Reply to Opposition to Motion for Leave to File Third-Party Counterclaim

12/31/2014 **Reply to Opposition**
Plaintiff/Counterdefendant Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Reply to Opposition to Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/Counterclaimant, Liberty Media Holdings, LLC's Counsel OF Record

01/06/2015 **Motion for Leave** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Defendant/Counterclaimant Liberty Media Holdings, LLC's Motion for Leave to File First Amended Counterclaim
12/08/2014 Reset by Court to 01/06/2015
Result: Matter Continued

01/06/2015 **Motion** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP and Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq., and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, or in the Alternative Motion for Leave to File Third-Party Counterclaim
12/29/2014 Reset by Court to 01/06/2015

01/06/2015 **Motion to Disqualify Attorney** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Plaintiff/CounterDefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/CounterClaimant, Liberty Media Holdings, LLC's Counsel of Record
01/12/2015 Reset by Court to 01/06/2015

01/06/2015 **All Pending Motions** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Parties Present
Minutes
Result: Matter Heard

02/17/2015 **Stipulation and Order**
Stipulation and Order Regarding Mediation of March 12, 2015 and Continuation of Status Check

02/18/2015 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order Regarding Mediation of March 12, 2015 and Continuation of Status Check

03/12/2015 **Settlement Conference** (10:01 AM) (Judicial Officer Alif, Nancy)
Minutes
Result: Not Settled

04/08/2015 **Stipulation and Order**
Stipulation and Order

04/08/2015 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order

06/18/2015 **Stipulation**
Stipulation and Order re Lifting of Stay and Release of Interpled Funds

06/19/2015 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order Re Lifting of Stay and Release of Interpled Funds

06/23/2015 **Calendar Call** (8:00 AM) (Judicial Officer Smith, Douglas E.)
 Result: Matter Heard

06/23/2015 **Status Check** (8:00 AM) (Judicial Officer Smith, Douglas E.)
STATUS CHECK: MEDIATION / RESET 1/6 MOTIONS
03/17/2015 Reset by Court to 03/17/2015
03/17/2015 Continued to 05/26/2015 - At the Request of Counsel - Liberty Media Holdings LLC; Marc J Randazza PA; Randazza Legal Group
05/26/2015 Reset by Court to 06/23/2015

Result: Matter Heard

06/23/2015 **All Pending Motions** (8:00 AM) (Judicial Officer Smith, Douglas E.)
Parties Present
Minutes

Result: Matter Heard

06/29/2015 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer Smith, Douglas E.)
 Vacated

07/23/2015 **Stipulation and Order**
Stipulation and Order to Vacate Current Trial Date and to Reset Trial

07/24/2015 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Vacate Current Trial Date and to Reset Trial

08/13/2015 **Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**
Amended Order Setting Civil Jury Trial

09/01/2015 **CANCELED Calendar Call** (8:00 AM) (Judicial Officer Smith, Douglas E.)
 Vacated - per Stipulation and Order

09/08/2015 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer Smith, Douglas E.)
 Vacated - per Stipulation and Order

03/17/2016 **Order Setting Civil Jury Trial**
Second Amended Order Setting Civil Jury Trial

03/18/2016 **Stipulation and Order**
Stipulation and Order to Vacate Current Trial Date and to Reset Trial (Second Request)

03/21/2016 **Notice of Entry of Stipulation and Order**
Notice Of Entry Of Stipulation And Order To Vacate Current Trial Date And To Reset Trial

04/12/2016 **CANCELED Calendar Call** (8:00 AM) (Judicial Officer Smith, Douglas E.)
 Vacated - per Stipulation and Order

04/18/2016 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer Smith, Douglas E.)
 Vacated - per Stipulation and Order

08/30/2016 **Calendar Call** (8:00 AM) (Judicial Officer Smith, Douglas E.)

09/06/2016 **Jury Trial** (9:30 AM) (Judicial Officer Smith, Douglas E.)

FINANCIAL INFORMATION

Counter Claimant Liberty Media Holdings LLC			
	Total Financial Assessment		223.00
	Total Payments and Credits		223.00
	Balance Due as of 05/03/2016		0.00
01/03/2013	Transaction Assessment		223.00
01/03/2013	Wiznet	Receipt # 2013-00938-CCCLK	Liberty Media Holdings LLC (223.00)
Defendant Gibson, Jason			
	Total Financial Assessment		30.00
	Total Payments and Credits		30.00
	Balance Due as of 05/03/2016		0.00
01/03/2013	Transaction Assessment		30.00
01/03/2013	Wiznet	Receipt # 2013-00939-CCCLK	Gibson, Jasson (30.00)
Plaintiff Marc J Randazza PA			
	Total Financial Assessment		270.00
	Total Payments and Credits		270.00
	Balance Due as of 05/03/2016		0.00
12/10/2012	Transaction Assessment		270.00
12/10/2012	Wiznet	Receipt # 2012-150832-CCCLK	Marc J Randazza PA (270.00)

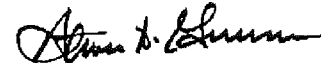
EXHIBIT “2”

EXHIBIT “2”

1 **SAO**
JOHN H. COTTON, ESQ.
2 Nevada Bar No.: 5268
E-mail: JHCotton@JHCottonlaw.com
3 KATHERINE L. TURPEN, ESQ.
Nevada Bar No.: 8911
4 E-mail: KTurpen@JHCottonlaw.com
JOHN H. COTTON & ASSOCIATES
5 4900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117
6 Telephone: 702/832-5909
Facsimile: 702/832-5910

7 *Attorneys for Counterclaim Defendant*

Electronically Filed
04/08/2015 09:52:39 AM



CLERK OF THE COURT

8
9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 MARC J. RANDAZZA, P.A., a Florida
12 professional association doing business as
RANDAZZA LEGAL GROUP,

13 Plaintiff,

14 v.

15 LIBERTY MEDIA HOLDINGS, LLC, a
16 California limited-liability company doing
business as Corbin Fisher

17 Defendant.

18 LIBERTY MEDIA HOLDINGS, LLC, a
19 California limited-liability company doing
20 business as Corbin Fisher,

21 Counterclaimant,

22 vs.

23 MARC J. RANDAZZA, P.A., a Florida
24 professional association doing business as
RANDAZZA LEGAL GROUP,

25 Counterdefendant.

Case No.: A-12-673275-C
Dept. No.: VIII

STIPULATION AND ORDER

26 ...

27 ...

28 ...

STIPULATION

Plaintiff and Counterclaim Defendant Marc J. Randazza P.A., d/b/a RANDAZZA LEGAL GROUP ("RLG"), and Defendant and Counterclaimant Liberty Media Holdings, LLC ("LMH"), both collectively constituting the "Parties," by and through their respective attorneys of record, hereby stipulate and agree as follows:

1. All proceedings in the above captioned matter shall be stayed, including rulings on all pending motions, pending the outcome of the arbitration previously held in Nevada in the matter of Randazza v. Excelsior Media Corporation, et al. (the "Arbitration").

2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media Corporation or LMH, will be interplead in the District Court for Clark County, to be place in trust until further order by the Court.

3. Upon the determination by the Arbitrator in the Arbitration, the parties shall immediately stipulate to the release to Marc Randazza such Funds as are necessary to satisfy any net award in favor of Randazza in the Arbitration.

4. To the extent that Randazza does not receive a net award in the Arbitration or the net Award is less than the total amount of the Funds, the parties shall further stipulate that the remaining Funds, less \$81,000, plus interest, shall be immediately released to Liberty Media Holdings.

5. The \$81,000, plus interest, (the "Remaining Funds") shall remain in trust pending a determination of the issues raised in Plaintiff's Complaint.

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6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such other time that this action is dismissed, settled or otherwise resolved), the Parties shall immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary to satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.

DATED this 24 day of March 2015. DATED this _____ day of March 2015.

COUNSEL FOR PLAINTIFF
RANDAZZA LEGAL GROUP

COUNSEL FOR LMH
BROWNSTEIN HYATT FARBER
SCHRECK, LLP

Ronald D. Green, Esq.
6525 W. Warm Springs Road, Ste. 100
Las Vegas, NV 89118

Mitchell J. Langberg, Esq.
Laura A. Bielinski, Esq.
160 North City Parkway, Suite 1600
Las Vegas, NV 89106

DATED this 26 day of March 2015.

COUNSEL FOR COUNTER-DEFENDANT
JOHN H. COTTON & ASSOCIATES

John H. Cotton, Esq.
Katherine L. Turpen, Esq.
7900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that

1. All proceedings in the above captioned matter shall be stayed, including rulings on all pending motions, pending the outcome of the arbitration previously held in Nevada in the matter of Randazza v. Excelsior Media Corporation, et al. (the "Arbitration").

2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media Corporation or LMH, will be interplead in the District Court for Clark County, to be place in trust until further order by the Court.

6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such other time that this action is dismissed, settled or otherwise resolved), the Parties shall immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary to satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.

DATED this _____ day of March 2015.

DATED this 20th day of March 2015.

COUNSEL FOR PLAINTIFF
RANDAZZA LEGAL GROUP

COUNSEL FOR LMH
BROWNSTEIN HYATT FARBER
SCHRECK, LLP #12737

Ronald D. Green, Esq.
6525 W. Warm Springs Road, Ste. 100
Las Vegas, NV 89118

Mitchell J. Langberg, Esq.
Laura A. Bielinski, Esq.
100 North City Parkway, Suite 1600
Las Vegas, NV 89106

DATED this _____ day of March 2015.

COUNSEL FOR COUNTER-DEFENDANT
JOHN H. COTTON & ASSOCIATES

John H. Cotton, Esq.
Katherine L. Turpen, Esq.
7900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that

1. All proceedings in the above captioned matter shall be stayed, including rulings on all pending motions, pending the outcome of the arbitration previously held in Nevada in the matter of Randazza v. Excelsior Media Corporation, et al. (the "Arbitration").

2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media Corporation or LMH, will be interplead in the District Court for Clark County, to be place in trust until further order by the Court.

3. Upon the determination by the Arbitrator in the Arbitration, the parties shall immediately stipulate to the release to Marc Randazza such Funds as are necessary to satisfy any net award in favor of Randazza in the Arbitration.

4. To the extent that Randazza does not receive a net award in the Arbitration or the net Award is less than the total amount of the Funds, the parties shall further stipulate that the remaining Funds, less \$81,000, plus interest, shall be immediately released to Liberty Media Holdings.

5. The \$81,000, plus interest, (the "Remaining Funds") shall remain in trust pending a determination of the issues raised in Plaintiff's Complaint.

6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such other time that this action is dismissed, settled or otherwise resolved), the Parties shall immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary to satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.

DISTRICT COURT JUDGE
DOUGLAS E. SMITH

Prepared and Submitted by:

JOHN H. COTTON & ASSOCIATES

JOHN H. COTTON, ESQ.
Nevada Bar No. 005268
KATHERINE L. TURPEN, ESQ.
Nevada Bar No. 008911
7900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117

Attorneys for Counterclaim Defendant

EXHIBIT “3”

EXHIBIT “3”

REPRINTED RECEIPT**District Court Clerk of the Court 200 Lewis Ave, 3rd Floor Las Vegas, NV 89101**Payor
Nevada Law Foundation Trust Accounts/Randazza Legal GroReceipt No.
2015-40284-CCCLKTransaction Date
04/17/2015

Description	Amount Paid
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On Behalf Of Marc J Randazza PA

A-12-673275-C

Marc J Randazza PA, Plaintiff(s) vs. Liberty Media Holdings LLC, Defendant(s)

Interplead Funds

Interplead Funds

276,883.35

SUBTOTAL**276,883.35****PAYMENT TOTAL 276,883.35**

Check (Ref #1006) Tendered 276,883.35

Total Tendered 276,883.35

Change 0.00

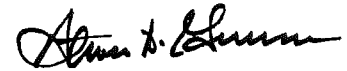
Per Stipulation and Order filed 4/8/15

04/17/2015
09:38 AMCashier
Station AIKOAudit
35057198**REPRINTED RECEIPT**A - 12 - 673275 - C
TRCT
Trust Receipt
4449650

EXHIBIT “4”

EXHIBIT “4”

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CLERK OF THE COURT

1 **SAO**
MITCHELL J. LANGBERG, ESQ.
2 Nevada Bar No. 10118
LAURA E. BIELINSKI, ESQ.
3 Nevada Bar No. 10516
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8 Facsimile: (702) 382-8135

9 *Attorneys for Defendant/Counterclaimant Liberty Media*
10 *Holdings, LLC*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 MARC J. RANDAZZA, P.A., a Florida
14 professional association doing business as
RANDAZZA LEGAL GROUP,

15 Plaintiff,

16 v.

17 LIBERTY MEDIA HOLDINGS, LLC, a
18 California limited-liability company doing
business as Corbin Fisher

19 Defendant.

20
21 LIBERTY MEDIA HOLDINGS, LLC, a
California limited-liability company doing
22 business as Corbin Fisher,

23 Counterclaimant,

24 vs.

25 MARC J. RANDAZZA, P.A., a Florida
professional association doing business as
26 RANDAZZA LEGAL GROUP,

27 Counterdefendant.

Case No.: A-12-673275-C

Dept. No: VIII

**STIPULATION AND ORDER RE
LIFTING OF STAY AND RELEASE OF
INTERPLED FUNDS**

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 NORTH CITY PARKWAY, SUITE 1600
LAS VEGAS, NV 89106
(702) 382-2101

STIPULATION

Plaintiff/Counterdefendant Marc J. Randazza P.A., d/b/a Randazza Legal Group ("RLG"), by and through its attorneys of record, the law firm of Randazza Legal Group and John H. Cotton & Associates, and Defendant/Counterclaimant Liberty Media Holdings, LLC ("Liberty"), by and through its attorneys of record, the law firm of Brownstein Hyatt Farber Schreck, LLP, hereby enter this Stipulation based upon the following facts:

1. RLG and Liberty entered into a stipulation in March 2015, and the Court entered the stipulation as an order on April 8, 2015 (the "Stipulation and Order");

2. Pursuant to the Stipulation and Order, on April 17, 2015, RLG deposited with the Court \$276,883.35 of funds from RLG's trust account (the "Interpled Funds") (Receipt No. 2015-40284-CCCLK);

3. The Interpled Funds were to remain on deposit with the Court until such time that a certain arbitration award was issued, at which time the parties were to stipulate to the release of the Interpled Funds;

4. Further, pursuant to the Stipulation and Order, the above-entitled case was to be stayed pending the issuance of the arbitration award;

5. The arbitration award was issued on June 3, 2015;

6. Among other things, the arbitration award directs that the Interpled Funds be paid over to Defendant.

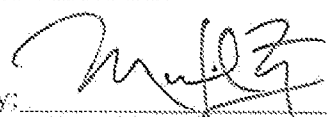
7. Through this stipulation, RLG is not waiving the affirmative claims for relief that it has asserted against Liberty

WHEREFORE, it is stipulated by and between the parties through their respective counsel of record that:

- a) The stay in this matter should be lifted; and
- b) All of the Interpled Funds shall be immediately released to Liberty or Liberty's counsel.

DATED this 12th day of June, 2015.


BROWNSTEIN HYATT FARBER
SCHRECK LLP

By: 
MITCHELL J. LANGBERG, ESQ.
Nevada Bar No. 10418
LAURA E. BIELINSKI, ESQ.
Nevada Bar No. 10516
MAXIMILIEN D. FETAZ, ESQ.
Nevada Bar No. 12737
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614

*Attorneys for Defendant/Counterclaimant
Liberty Media Holdings, LLC*

DATED this 1st day of June, 2015.

RANDAZZA LEGAL GROUP

By: 
RONALD D. GREEN, ESQ.
Nevada Bar No. 7360
6525 W. Warm Springs Road, Ste. 100
Las Vegas, NV 89118

*Attorney for Plaintiff/Counterdefendant
Marc J. Randazza P.A., d/b/a Randazza
Legal Group*

DATED this ____ day of June, 2015.

JOHN H. COTTON & ASSOCIATES

By: 
JOHN H. COTTON, ESQ.
Nevada Bar No. 5268
KATHERINE L. TURPEN, ESQ.
Nevada Bar No. 8911
7900 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89117

*Attorney for Plaintiff/Counterdefendant Marc
J. Randazza P.A., d/b/a Randazza Legal
Group*

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, NV 89106
(702) 382-2101

WHEREFORE, it is stipulated by and between the parties through their respective counsel of record that:

- a) The stay in this matter should be lifted; and
- b) All of the Interpled Funds shall be immediately released to Liberty or Liberty's counsel.

DATED this ____ day of June, 2015.

BROWNSTEIN HYATT FARBER
SCHRECK LLP

By:

MITCHELL J. LANGBERG, ESQ.
Nevada Bar No. 10118
LAURA E. BIELINSKI, ESQ.
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MAXIMILIEN D. FETAZ, ESQ.
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100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614

*Attorneys for Defendant/Counterclaimant
Liberty Media Holdings, LLC*

DATED this ____ day of June, 2015.

RANDAZZA LEGAL GROUP

By:

RONALD D. GREEN, ESQ.
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6525 W. Warm Springs Road, Ste. 100
Las Vegas, NV 89118

*Attorney for Plaintiff/Counterdefendant
Marc J. Randazza P.A., d/b/a Randazza
Legal Group*

DATED this 12 day of June, 2015.

JOHN H. COTTON & ASSOCIATES

By:

JOHN H. COTTON, ESQ.
Nevada Bar No. 5268
KATHERINE L. TURPEN, ESQ.
Nevada Bar No. 8911
7900 West Sahara Avenue, Suite 200
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*Attorney for Plaintiff/Counterdefendant Marc
J. Randazza P.A., d/b/a Randazza Legal
Group*

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100 NORTH CITY PARKWAY, SUITE 1600
LAS VEGAS, NV 89108
(702) 387-2101

ORDER

Having considered the foregoing and finding good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the foregoing Stipulation and Order Re Lifting of Stay and Release of Interpled Funds is GRANTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stay in this matter is LIFTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court Clerk release \$276,883.35, which funds were interpled with the Court on April 17, 2015 (Receipt No. 2015-40284-CCCLK), to Liberty or Liberty's counsel.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiffs shall cooperate and take any and all such actions necessary to effectuate the release of the funds referenced above.


Dated this 16 day of June, 2015.


DISTRICT COURT JUDGE

Prepared and submitted by:

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By:


MITCHELL J. LANGBERG, ESQ.

Nevada Bar No. 101118

LAURA E. BIELINSKI, ESQ.

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Attorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC